IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

OP.No. 16205 of 1999(S)

PETITIONER:

MOHAMMED KOYA,
S/O.MOIDU, AGED 54,
SUPERINTENDENT OF POLICE,
(MOTOR TRANSPORT), POLICE HEAD QUARTERS,
THIRUVANANTHAPURAM.

BY ADV. SRI.G.S.REGHUNATH

RESPONDENTS:

----

1. **THE STATE OF KERALA, REP: BY THE CHIEF SECRETARY, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.**

2. **THE DIRECTOR GENERAL OF POLICE, KERALA, THIRUVANANTHAPURAM.**

BY GOVT. PLEADER SRI.P.N.SANTHOSH

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 28/09/20007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP.NO.26363 OF 1999 IN OP.NO.16205 OF 1999-D.

DISMISSED.

28.9.2007. **Sd/- T.R.Ramachandran Nair, Judge.**

APPENDIX

Petitioner's Exhibits:-

Ext.P1: **Copy of the GO(Rt.) No.1844/1993/Home dtd.16/7/1993.**

Ext.P2: **Copy of the order dtd.14.12.1995.**

Ext.P3: **Copy of the representation sent to the 1st respondent by the petitioner on 18.10..1997.**

Ext.P4: **Copy of the letter dtd.20.1.1998 sent to the 2nd respondent by the 1st respondent.**

Ext.P5: **Copy of the letter dtd.17.4.1998 of the 2nd respondent sent to the 1st respondent.**

Ext.P6: **Copy of the letter dtd.25.6.1998 of the 1st respondent sent to the petitioner.**

Ext.P7: **Copy of the representation dtd.13.7.1998 sent to the 1st respondent by the petitioner.**

Ext.P8: **Copy of the judgment dtd.8/6/1999 in OP.No.13844/99 of this Hon'ble Court.**

Ext.P9: **Copy of the order dtd.21/6/1999 by the 1st respondent.**

Ext.P10: **Copy of the relevant pages of the Indian Police Services (Appointment by Promotion) Regulations, 1955.**

Respondents' Exhibits:- **Nil.**

(true copy)

P.A. TO JUDGE.

Kvs/-

T.R.RAMACHANDRAN NAIR, J.

= = = = = = = = = = = = = = = = =

O.P.No. 16205 of 1999-D.

= = = = = = = = = = = = = = = = =

Dated this the 28th day of September, 2007.

J U D G M E N T

The petitioner who was working as Superintendent of Police (Motor Transport) from 10.6.1993 which is evidenced by Ext.P1 order. The apparent claim in the writ petition is to consider him to be included in the select list for appointment to IPS for the year 1998. The respondents have filed a detailed counter-affidavit explaining that the petitioner was working in various posts in the Police Department under the Motor Transport Unit and they were not having any duties assigned to a police officer. It is, therefore, submitted that his request is not liable to be granted. In the light of the above stand taken by the respondents it is clear that the petitioner has no right to seek inclusion in the select list for IPS. Apart from that the petitioner has already retired from service, way back and therefore at this distance of time there is no subsisting grievance for him. For all these reasons, this Original Petition is dismissed.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-